

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TYRAN WOOD,

Plaintiff,

v.

GARY MOHR, et al.,

Defendants.

Case No. 2:12-cv-978

JUDGE GREGORY L. FROST

Magistrate Judge Mark R. Abel

ORDER

This matter is before the Court for consideration of the Magistrate Judge's April 11, 2013 Order and Report and Recommendation. (ECF No. 18.) In that filing, the Magistrate Judge recommended that the Court deny the December 17, 2012 motion to dismiss (ECF No. 10) and granted Plaintiff's motion for leave to file an amended complaint (ECF No. 11). The Order and Report and Recommendation advised the parties that the failure to object within fourteen days would result in a "waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (ECF No. 18, at Page ID # 148.)

The Court has reviewed the Order and Report and Recommendation. Noting that no objections have been filed, that the time for filing such objections has expired, and that the filing of the April 11, 2013 amended complaint (ECF No. 19) and related motions to dismiss (ECF Nos. 21, 22) essentially moot the prior motion to dismiss, the Court **ADOPTS** the Order and Report and Recommendation (ECF No. 18) and **DENIES** the December 17, 2012 motion to

dismiss (ECF No. 10).

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE